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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/388,334

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STINGER-UTIL

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EXAMINER

MICHAEL B MCNEIL
511 SOUTH MADISON STREET
POST OFFICE BOX 2417
BLOOMINGTON IN 47402

NOVOSAD, J

ART UNIT

PAPER NUMBER

3634

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DATE MAILED:

08/16/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/388,334

Applicant(s)

Coonan et al.

Examiner
Jennifer E. Novosad

Group Art Unit
3634



☒ Responsive to communication(s) filed on Sep 1, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1035 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-20 is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-20 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Objections

Claim 19 is objected to because of the following informalities:

In claim 19, line 3, "lease" should be changed to --least--.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3, 4, 7, 11, and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 3 and 4 are rendered indefinite since it is unclear what structure constitutes a "neutral support mechanism" (see claim 3) and a "stop mechanism" (see claim 4) and how the use of the terminology makes the claims different, since the specification discloses a "neutral support stop mechanism", it appears that claims 3 and 4 are reciting the same structure.

Claims 7 and 13 recite the limitation "said monitor angle" in line 6. There is insufficient antecedent basis for this limitation in the claims. *Further*, the recitation "said monitor angle is

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coupled to an angular position" renders the claims indefinite since it is unclear how an "angle" can be coupled to a "position".

Claim 11 is rendered indefinite since the recitations "neutral support mechanism" in line 6, and "stop mechanism" in line 2, appear to be the same structure, in view of the specification which uses the terminology "neutral support stop mechanism" and therefore it is unclear what structure constitutes each of these elements.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

Claims 1-6 are rejected under 35 U.S.C. 102(e) as being anticipated by Birrell '936.

Birrell '936 discloses a portable workstation for holding and supporting a personal computer having a separate monitor and keyboard whereby the workstation comprises a first arm (27) having an upper and (P) and a lower end (25); at least one platform (29) holding a keyboard and being pivotally (P) and hingedly attached to the upper end of the first arm (27); a second arm (15, i.e., 23, 20, and 16) having an upper end (23) and a lower end (16) and oriented, i.e., sloped, at an acute angle and whereby the lower end of the first arm (27) is hingedly attached (at 25

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and 21A) to the upper end of the second arm (15); the lower end of the second arm is attached to a base (11) supported by a plurality of rotatable rollers (14) that are equally spaced; and a support stop mechanism (see Figure 4) operably coupled (at 25 and 21A) between the first arm (27) and the second arm (15) so that the first arm (27) can be rotated (at 25A) and continuously stopped between angular positions and the platform (29) can be pivoted (at P).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 10-13, 16, 17, and 18 are rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Birrell '936.

Birrell '936 discloses the portable workstation as advanced above.

The claims differ from Birrell '936 in requiring: (1) a computer input and output device to be supported by a platform, and (2) a security panel attached thereto.

With respect to (1) and (2), although Birrell '936 teaches a workstation having a platform which supports a keyboard of a personal computer, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have placed a laptop computer on the

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platform since the platform can securely support the laptop while thereby increasing the structural capability of the workstation and its capability to be used in different environments.

Claims 8, 9, 14, 15, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Birrell '936 as applied to claim 7, 10-13, 16, 17, and 18 above, and further in view of Coulthard '242.

Birrell '936 discloses the workstation as advanced above.

The claims differ from Birrell '936 in requiring: (1) a battery pack attached at a certain location, and (2) a wireless transceiver attached at a certain location.

With respect to (1) and (2), Coulthard '242 teaches that it is old in the art to utilize batteries and wireless transceivers to charge and use a computer.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have provided the workstation of Birrell '936 with batteries and/or a wireless receiver, as taught by Coulthard '242, for increased ease in maneuverability of the workstation and increased capabilities of the workstation so that it can be used in different environments.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Tellier et al., Reese et al., Cooper, Sorgi et al., and Sweere et al. show various workstations comprising tiltable platforms for computers. Hillary et al., Koerber, Sr. et al., Grant, and Watt et al. show various adjustable desk-top stands.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ms. Jennifer E. Novosad whose telephone number is (703) 305-2872. The examiner can normally be reached on Monday to Thursday from 7:30 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Daniel P. Stodola, can be reached on (703) 308-2686. The *official* fax phone number for the organization where this application or proceeding is assigned is (703) 305-3597.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2168.



Daniel P. Stodola
Supervisory Patent Examiner
Group 3600

Jennifer E. Novosad/jen

August 10, 2000